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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 ADRIAN GARCIA,) Case No.: 1:20-cv-1167 JLT
12 Plaintiff,)
13 v.) ORDER GRANTING THE JOINT REQUEST FOR
14 KILOLO KIJAKAZI¹,) MODIFICATION OF THE SCHEDULING ORDER
Acting Commissioner of Social Security,) (Doc. 20)
15 Defendant.)
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17 On October 22, 2021, the parties filed a joint stipulation requesting modification of the
18 scheduling order. (Doc. 20.) The parties report that the wrong administrative record was filed, and the
19 Commissioner has “agreed to provide the correct administrative record within 90 days.” (*Id.* at 2.)
20 Thus, the parties request modification of the scheduling order to permit the correct record to be filed in
21 the action. (*Id.*)

22 Based upon the stipulation of the parties and good cause appearing, the Court **ORDERS:**

- 23 1. The request for modification of the scheduling order is **GRANTED**;
24 2. The Commissioner **SHALL** serve a copy of the administrative record no later than
25 **January 18, 2022**;

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27 ¹ The action was originally filed against Andrew Saul in his capacity as the Commissioner of Social Security.
28 (*See* Doc. 1 at 1.) The Court has substituted Kilolo Kijakazi, who has since been appointed the Acting Commissioner of
Social Security, as the defendant. *See* Fed. R. Civ. P. 25(d).

3. Plaintiff **SHALL** file a motion for summary judgment within 45 days of the date of service of the administrative record;
4. The Commissioner **SHALL** file a responsive brief within 45 days of service of the opening brief; and
5. Any reply by Plaintiff **SHALL** be filed within 15 days of the responsive brief.

IT IS SO ORDERED.

Dated: **October 25, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE